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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,396	11/15/2001	Susann Marie Keohane	AUS920010879US1	7309

7590 09/22/2004

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EXAMINER

STORK, KYLE R

ART UNIT PAPER NUMBER

2178

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/998,396

Applicant(s)

KEOHANE ET AL.

Examiner

Kyle R Stork

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) ☐
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is in response to the application filed November 15, 2001.
2. Claims 1-12 are pending. Claims 1, 4, 7, and 10 are independent claims.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-4, 6-7, 9-10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft® Word®.

As per independent claim 1, Word® discloses a method of displaying a document comprising the steps of:

- Displaying a document (Figure 3)
- Displaying at least one button with the document, the at least one button being associated with a section of the document such that when the button is asserted, the associated section is highlighted (Figure 2-4: Figure 2 shows a pair of binoculars that represent a "Find" function for the document. When this is asserted, the user can then enter text into the "Find what:" field shown in Figures 3-4. The section containing the text will then become highlighted as shown in Figure 4)

As per dependent claim 3, Word® discloses the method wherein highlighting the section entails displaying the section in a different color (Figure 4).

As per independent claim 4, Word® discloses a computer program product on a computer readable medium for displaying a document comprising:

- Code means for displaying a document (Figure 3)
- Code means for displaying at least one button with the document, the at least one button being associated with a section of the document such that when the button is asserted, the associated section is highlighted (Figure 2-4: Figure 2 shows a pair of binoculars that represent a "Find" function for the document. When this is asserted, the user can then enter text into the "Find what:" field shown in Figures 3-4. The section containing the text will then become highlighted as shown in Figure 4)

As per dependent claim 6, Word® discloses the computer program product wherein highlighting the section entails displaying the section in a different color (Figure 4).

As per independent claim 7, Word® discloses an apparatus for displaying a document comprising:

- Means for displaying a document (Figure 3)
- Means for displaying at least one button with the document, the at least one button being associated with a section of the document such that when the button is asserted, the associated section is highlighted (Figure 2-4: Figure 2 shows a pair of binoculars that represent a "Find" function for the document. When this is asserted, the user can then enter text into the "Find what:" field

shown in Figures 3-4. The section containing the text will then become highlighted as shown in Figure 4)

As per dependent claim 9, Word® discloses the apparatus wherein highlighting the section entails displaying the section in a different color (Figure 4).

As per independent claim 10, Word® discloses a computer system for displaying a document comprising:

- A memory device for storing code data (Figure 1: Here, the computer program is stored in memory of the computer that program is running on)
- Code means for displaying a document (Figure 3)
- Code means for displaying at least one button with the document, the at least one button being associated with a section of the document such that when the button is asserted, the associated section is highlighted (Figure 2-4: Figure 2 shows a pair of binoculars that represent a "Find" function for the document.

When this is asserted, the user can then enter text into the "Find what:" field shown in Figures 3-4. The section containing the text will then become highlighted as shown in Figure 4)

As per dependent claim 6, Word® discloses a computer system wherein highlighting the section entails displaying the section in a different color (Figure 4).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 5, 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft® Word®.

As per dependent claim 2, Word® discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Word® further discloses the method of graying out the document in sections not currently selected (Figure 5: Here, the header/footer of the document is selected and the body of the text is grayed out accordingly).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the ability of Word® to highlight selected text with the ability of Word® to gray out sections of a document that are not currently being processed, since it would have allowed a user to see a greater contrast between the selected text which is highlighted and the unselected text which is grayed out.

As per dependent claim 5, Word® discloses the limitations similar to those in claim 4, and the same rejection is incorporated herein. Word® further discloses the method of graying out the document in sections not currently selected (Figure 5: Here, the header/footer of the document is selected and the body of the text is grayed out accordingly).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the ability of Word® to highlight selected text with the ability of Word® to gray out sections of a document that are not currently being

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processed, since it would have allowed a user to see a greater contrast between the selected text which is highlighted and the unselected text which is grayed out.

As per dependent claim 8, Word® discloses the limitations similar to those in claim 7, and the same rejection is incorporated herein. Word® further discloses the method of graying out the document in sections not currently selected (Figure 5: Here, the header/footer of the document is selected and the body of the text is grayed out accordingly).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the ability of Word® to highlight selected text with the ability of Word® to gray out sections of a document that are not currently being processed, since it would have allowed a user to see a greater contrast between the selected text which is highlighted and the unselected text which is grayed out.

As per dependent claim 11, Word® discloses the limitations similar to those in claim 10, and the same rejection is incorporated herein. Word® further discloses the method of graying out the document in sections not currently selected (Figure 5: Here, the header/footer of the document is selected and the body of the text is grayed out accordingly).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the ability of Word® to highlight selected text with the ability of Word® to gray out sections of a document that are not currently being processed, since it would have allowed a user to see a greater contrast between the selected text which is highlighted and the unselected text which is grayed out.

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Shimazaki (US 6204873): Discloses a method of highlighting and graying.
- Hill et al. (US 6577291): Discloses a method of graying in a color display.
- Erten et al. (US 2001/0030668): Discloses a method of highlighting.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R Stork whose telephone number is (703) 605-1203 or (571) 272-4130. The examiner can normally be reached on Monday (7:00-4:30), Tuesday and Thursday (7:00-6:30), Wednesday and Friday (7:00-12:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (703) 308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork




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Patent Examiner

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STEPHEN S. HONG  
PRIMARY EXAMINER